

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6571

BILL NUMBER: HB 1151

NOTE PREPARED: Jan 1, 2008

BILL AMENDED:

SUBJECT: Home Detention.

FIRST AUTHOR: Rep. Richardson

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: This bill has the following provisions:

- A. It allows a sentencing court to place an offender who resides in a county adjacent to the county in which the sentencing court is located on home detention in the county where the offender resides if the offender is supervised by a community corrections program or probation department located in the county in which the sentencing court is located.
- B. It allows a court to place an offender who resides in a county that is not adjacent to the county in which the sentencing court is located on home detention in the county where the offender resides if the offender is: (1) eligible for home detention in the county in which the offender resides; and (2) supervised by a community corrections program or probation department located in the county in which the offender resides.
- C. It specifies that a probation department or community corrections program that supervises an offender on home detention is responsible for the expenses of the supervision.

Effective Date: July 1, 2008.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: The following table illustrates the changes proposed by this bill.

Offender's Residence	Offender Supervision Conducted By...	
	Current Law	Proposed Changes
Offender resides in county of sentencing court	... probation department or community corrections program in offender's residing county if offender is eligible for home detention in county of residence	No change
Offender resides in county adjacent to sentencing court		<i>.... probation department or community correction program in county of sentencing court</i>
Offender resides in county not adjacent to sentencing court		No change

Depending on how many offenders are sentenced in counties that are adjacent to the county in which they live, some workload supervision would be redistributed among different counties.

Explanation of Local Revenues: Like the workload supervision, probation user fees collected from offenders who live in adjacent counties would be redistributed to counties supervising these offenders.

The following table shows the current schedule of probation user fees for adult felons and misdemeanants.

	Initial Fee	Administrative Fee	Monthly Fee
Felons	Between \$25 and \$100	\$100	Between \$15 and \$30
Misdemeanants	Maximum \$50	\$50	Between \$10 and \$20

State Agencies Affected:

Local Agencies Affected: Sentencing Courts; Community Corrections Programs; Probation Departments.

Information Sources: IC 35-38-2-1 – Fee schedule for offenders on probation.

Fiscal Analyst: Mark Goodpaster, 317-232-9852.